

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 16, 2015

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.
Absent – Anderst, Erpelding. Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Marilyn Clements,
Page.

3RD ORDER

Approval of Journal

March 16, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have read and approved the
House Journal of the Sixty-first Legislative Day and recommend
that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by
Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 13, 2015

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am
transmitting to the Secretary of State the following House bill, to
wit:

[H 70](#)

As Always - Idaho, "Esto Perpetua"
/s/ C.L. "Butch" Otter
Governor

March 13, 2015

Mr. Speaker:

I transmit herewith enrolled [S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#),
[S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#), [S 1058](#), and [S 1099](#) for the
signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled
[S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#),
[S 1058](#), and [S 1099](#) and, when so signed, ordered them returned
to the Senate.

March 13, 2015

Mr. Speaker:

I return herewith enrolled [HCR 7](#) and [HCR 10](#) which have
been signed by the President.

NOVAK, Secretary

Enrolled [HCR 7](#) and [HCR 10](#) were referred to the Judiciary,
Rules, and Administration Committee for delivery to the
Secretary of State.

March 13, 2015

Mr. Speaker:

I transmit herewith [SCR 118](#) which has passed the Senate.
NOVAK, Secretary

[SCR 118](#) was filed for first reading.

March 13, 2015

Mr. Speaker:

I return herewith [HJM 5](#), [HJM 7](#), [HCR 9](#), [HCR 14](#), [HJM 6](#),
and [HCR 6](#) which have passed the Senate.

NOVAK, Secretary

[HJM 5](#), [HJM 7](#), [HCR 9](#), [HCR 14](#), [HJM 6](#), and [HCR 6](#) were
referred to the Judiciary, Rules, and Administration Committee
for enrolling.

5TH ORDER

Report of Standing Committees

Mr. DeMordaunt asked unanimous consent that [S 1088](#) be
placed on General Orders for consideration. There being no
objection it was so ordered.

March 16, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have printed [H 268](#).

WILLS, Chairman

[H 268](#) was filed for second reading.

March 16, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have enrolled [H 39](#), [H 47](#),
[H 61](#), [H 75](#), [H 108](#), [H 124](#), [H 125](#), [H 147](#), [H 177](#), [H 206](#), [H 207](#),
and [HJM 8](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 39](#),
[H 47](#), [H 61](#), [H 75](#), [H 108](#), [H 124](#), [H 125](#), [H 147](#), [H 177](#), [H 206](#),
[H 207](#), and [HJM 8](#) and, when so signed, ordered them transmitted
to the Senate for the signature of the President.

March 16, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 72](#), as amended in the Senate.

WILLS, Chairman

[H 72](#), as amended in the Senate, was filed for first reading of engrossed bills.

March 16, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 33](#), [H 48](#), [H 49](#), [H 50](#), [H 68](#), [H 82](#), [H 110](#), [H 122](#), and [H 133](#) to the Governor at 10:40 a.m., as of this date, March 13, 2015.

WILLS, Chairman

March 13, 2015

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 252](#) and report it back with amendments attached to be placed on General Orders for consideration.

COLLINS, Chairman

[H 252](#) was placed on General Orders for consideration.

March 16, 2015

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1086](#) and recommend that it do pass.

DEMORDAUNT, Chairman

[S 1086](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

[SCR 118](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 269

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO THE TAX ON OIL AND GAS; AMENDING SECTION 47-330, IDAHO CODE, TO REVISE HOW THE TAX ON THE PRODUCTION OF OIL AND GAS IS ADMINISTERED AND COLLECTED AND TO DEFINE "GROSS INCOME."

HOUSE BILL NO. 270

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1630, IDAHO CODE, TO PROVIDE FOR AN AT-HOME SCHOOL READINESS PILOT PROGRAM, TO PROVIDE MINIMUM INSTRUCTION REQUIREMENTS, TO ESTABLISH DUTIES OF THE EARLY EDUCATION TECHNOLOGY PROVIDER, TO ESTABLISH DUTIES OF

THE STATE DEPARTMENT OF EDUCATION AND TO ESTABLISH PROVISIONS RELATING TO FUNDING; AND PROVIDING A SUNSET DATE.

HOUSE BILL NO. 271

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT FOR THE PAYMENT OF OUTSIDE COUNSEL COSTS; PROVIDING LEGISLATIVE INTENT FOR THE PAYMENT OF CAPITAL REPRESENTATION COSTS; AND PROVIDING FOR A CASH TRANSFER.

HOUSE BILL NO. 272

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; PROVIDING LEGISLATIVE INTENT REGARDING CONFERENCE-RELATED ACTIVITIES; PROVIDING LEGISLATIVE INTENT REGARDING PAYMENT OF BANK SERVICE FEES; PROVIDING LEGISLATIVE INTENT REGARDING MITIGATION OF BANK SERVICE FEES; AND PROVIDING LEGISLATIVE INTENT REGARDING CONSULTATION WITH THE STATE TREASURER INVESTMENT ADVISORY BOARD.

HOUSE BILL NO. 273

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS; AND PROVIDING LEGISLATIVE INTENT TO COMMENCE THE ADJUDICATION OF THE PALOUSE RIVER BASIN.

HOUSE BILL NO. 274

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE WELFARE DIVISION FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; AND REQUIRING BIENNIAL REPORTS.

HOUSE BILL NO. 275

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION 33-1003, IDAHO CODE, TO PROVIDE AN EXEMPTION TO CODE PROVISIONS CONCERNING THE EDUCATION SUPPORT PROGRAM AND A DECREASE IN AVERAGE DAILY ATTENDANCE

AND TO PROVIDE A TERM OF PARTICIPATION IF NO EXEMPTION IS REQUESTED.

[H 269](#), [H 270](#), [H 271](#), [H 272](#), [H 273](#), [H 274](#), and [H 275](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

9TH ORDER

First Reading of Engrossed Bills

[H 72](#), as amended in the Senate, by Agricultural Affairs Committee, was introduced, read the first time by title, and filed for second reading.

10TH ORDER

Second Reading of Bills and Joint Resolutions

[H 263](#) and [H 264](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1080](#), as amended, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[S 1074](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[SCR 113](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[HCR 17](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1075](#) and [S 1077](#), by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

[H 182](#), as amended, and [H 216](#), as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

11TH ORDER

Third Reading of Bills and Joint Resolutions

[H 242](#) - ELECTIONS

[H 242](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Sims to open debate.

The question being, "Shall [H 242](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Gannon, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Youngblood, Mr. Speaker. Total – 63.

NAYS – None.

Absent – Anderst, Barbieri, Chew, Erpelding, Gestrin, Monks, Wood. Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 242](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 29](#), as amended in the Senate - TAXATION EXEMPTIONS

[H 29](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chaney to open debate.

The question being, "Shall [H 29](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Gannon, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Youngblood, Mr. Speaker. Total – 64.

NAYS – None.

Absent – Anderst, Chew, Erpelding, Gestrin, Monks, Wood. Total – 6.

Total – 70.

Whereupon the Speaker declared [H 29](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

[H 253](#) - APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

[H 253](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall [H 253](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Chew, Collins, Dayley, DeMordaunt, Dixon, Gannon, Gibbs, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, Miller, Moyle, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Shepherd, Smith, Thompson, Troy, Trujillo, VanOrden, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 55.

NAYS – Barbieri, Cheatham, Clow, Crane, Harris, McMillan, Mendive, Nate, Scott, Sims, Vander Woude. Total – 11.

Absent – Anderst, Erpelding, Gestrin, Monks. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 253](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

The question being, "Shall [H 237](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 67.

NAYS – None.

Absent – Anderst, Erpelding, Monks. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 237](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1044](#) - EMINENT DOMAIN

[S 1044](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Perry to open debate.

The question being, "Shall [S 1044](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Collins, Crane, Dayley, DeMordaunt, Dixon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Kauffman, Kerby, Loertscher, Luker, Malek, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Packer, Palmer, Perry, Raybould, Redman, Romrell, Scott, Shepherd, Sims, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wood, Youngblood, Mr. Speaker. Total – 54.

NAYS – Chew, Clow, Erpelding, Gannon, Jordan, King, Kloc, McCrostie, Nye, Pence, Rubel, Rudolph, Rusche, Smith, Wintrow. Total – 15.

Absent – Anderst. Total – 1.

Paired Votes:

AYE – Gestrin NAY – Erpelding

AYE – Monks NAY – Chew

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [S 1044](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

16TH ORDER Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Tuesday, March 17, 2015. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:13 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk